

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES E. BRYANT,
Plaintiff,

v.

U.S. OF AMERICA, *et al.*,
Defendants.

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CIVIL ACTION NO. 24-CV-0744

ORDER

AND NOW, this 17th day of May, 2024, upon consideration of Plaintiff James E. Bryant's Motion to Proceed *In Forma Pauperis* (ECF No. 1), and *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons in the Court's Memorandum, as barred by *Heck v. Humphrey*, 512 U.S. 477 (1994). The dismissal is without prejudice to Bryant filing a motion to vacate his sentence pursuant to 28 U.S.C. § 2255 in his criminal case, and without prejudice to Bryant reasserting his claims for declaratory relief in a new civil action only in the event his underlying conviction is reversed, vacated, or otherwise invalidated. Bryant is not given leave to file an amended complaint in this case.
4. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

/s/KAI N. SCOTT
KAI SCOTT, J.